

Article - State Government

[\[Previous\]](#)[\[Next\]](#)

§12-310.

(a) This section does not apply to the extent that a State officer or State employee is reimbursed under § 12-309 of this subtitle.

(b) The State is liable to a State officer or State employee for reimbursement of court costs, counsel fees, and other reasonable expenses that the officer or employee incurs in defending an action or proceeding if:

(1) the Attorney General declined representation under § 12-304(b)(1) of this subtitle; and

(2) it is determined judicially that:

(i) the defense of sovereign immunity is available to the officer or employee; or

(ii) injuries arose from an act or omission of the officer or employee and, when the act or the omission was made, the officer or employee was acting within the scope of employment and the act or omission was not malicious and was not grossly negligent.

(c) Reimbursement under this section shall be subject to the provisions of Subtitle 5 of this title.

[\[Previous\]](#)[\[Next\]](#)